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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,403	12/21/2001	Lawrence R. Miller	36287-02001	2495

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EXAMINER
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GELAGAY, SHEWAYE

ART UNIT	PAPER NUMBER
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2137

DATE MAILED: 01/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/026,403	Applicant(s) MILLER ET AL.	
	Examiner Shewaye Gelagay	Art Unit 2137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 28 November 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 28, 2005 has been entered.
2. Claims 1-21 are pending.

### ***Response to Arguments***

3. Applicant's arguments, see Remarks, filed November 28, 2005, have been considered but are not persuasive. In response to the arguments concerning the previously rejected claims, the following comments are made:

The Applicant argues claims 84, 85 and 86 of U.S. Patent 6,513,020 issued on January 28, 2003 has no statutory difference with claim 10 of the instant application. The Examiner would like to point out the office does not compare patent prosecution but examines each application independently. In addition, the Applicant argues recent holdings from the Court of Appeals for the Federal Circuit, *AT&T Corp. v. Microsoft Corp.*, No. 04-1285, 2005 WL 1631112, \*4 (*Fed. Cir. (S.D.N.Y) July 13, 2005*), clearly shows that software code alone is patentable as a process. The Examiner would like to

point out that court decision is not related to 35 U.S.C. 101 issue. It is related to 271(f) which is related to infringement of patent. See *MPEP 35 U.S.C. 271*. Therefore, the Examiner maintains the rejection of claim 10 under 35 U.S.C. 101. For additional information the Applicant is encouraged to review 35 U.S.C. 101 *Interim Guidelines for Examination of Patent Applications for Patent Subject Matter Eligibility*, 1300 Off. Gaz. Pat. Office 142 (Nov. 22, 2005)

The Applicant argues the combination of Gupta et al. (US 6,226,752, hereinafter Gupta) and Makower et al. (US Pub. 2002/0184507, hereinafter Makower) does not disclose or suggest "the interaction between a first system that grants session credentials based on successful authentication at the first system or successful authentication at a second system and a second system that grants session credentials based on successful authentication at a the second system". The Examiner disagrees and maintains the rejections. Gupta teaches a server that checks if a request has an active valid session and redirects the user to the login server. (Col. 7, lines 2-3 and lines 5-6). Gupta also discloses a login server that authenticates and redirects the user back to the application server in which a user request is processed. (Col. 7, lines 10-14) Gupta discloses the application server checks if a request has an active and valid session and if there is no valid session, the application server redirects the user to login server. In addition, Gupta further discloses the login server authenticates the user and redirects the user back to the application server. (Abstract) Makower a decentralized authentication protocol where users authenticate themselves with any on of a group of federated servers a user with current session does not need to be reauthenticated by

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other servers. (Abstract; Page 1, paragraph 10; Page 3, paragraph 20) In addition, Makower further discloses prompting a client with a login page and receiving a client browser that provides authentication information. (Page 4, paragraph 32)

Therefore, all the elements of the claim limitations are explicitly or implicitly or inherently suggested and disclosed by the combination of the references on the record Gupta and Makower. It is the Examiner's conclusion that calms 1-21 are not patentably distinct or non-obvious over the prior art of record. Therefore, all the rejection is maintained as given below unless otherwise the applicant added a specific limitation in to the present independent claims, to overcome the rejection without introducing a new matter.

***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claim 10 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. It is not tangibly embodied as it is only software per se. It is suggested that the claimed subject matter "computer executable software code ..." should be changed to "computer executable code stored on a computer-readable medium ...".

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta et al. (hereinafter Gupta) United States Letter Patent Number 6,226,752 further in view of Makower et al. (hereinafter Makower) United States Publication Number 2002/0184507.

As per claims 1, 10 and 11:

Gupta teaches a method for validating credentials comprising:

determining, at a first system that grants session credential based on successful authentication at the first system or successful authentication at a second system, that a client does not have a valid session credential by the first system; (Col. 7, lines 2-3; Col. 11, lines 46-49 and lines 65-66)

retrieving, at the first system, information from a session token held by the client, the information corresponding to a possible session credential for the second system that grants session credentials based on successful authentication at the second system; (Col. 7, lines 3-4; Col. 11, lines 66-67 and Col. 12, lines 1-6)

presenting at least some of the information from the session token to the second system; (Col. 7, lines 5-6; Col. 12, lines 13-23) and

determining whether the client has a valid session credential with the second system. (Col. 7, lines 6-9; Col. 12, lines 25-30)

In addition, Gupta further discloses an application server checks if a request has an active and valid session and if there is no valid session, the application server redirects the user to login server. In addition, Gupta further discloses the login server authenticates the user and redirects the user back to the application server. (Abstract)

Gupta does not explicitly disclose a first system that grants a session credential. Makower discloses a first system that grants a session credential. (Abstract; Page 1, paragraph 10; Page 3, paragraph 20; Users authenticate themselves with any one of a group of federated servers)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Gupta to include a method comprising a first system that grants a session credential. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Makower (Page 1, paragraph 8) in order to protect confidential information and reduce inconvenience for the user/client in having to remember different authorizations for different servers. A user that is authenticated in a first server can access a second server without repeating the authentication process at the second server.

As per claims 2 and 14:

The combination of Gupta and Makower teaches a method comprising granting a session credential to the client by the first system, after determining that the client has a valid session credential granted by the second system. (Col. 7, lines 10-12; Col. 12, lines 48-49 of Gupta)

As per claims 3:

The combination of Gupta and Makower teaches a method comprising sending a session token to the client, the token corresponding to a session credential granted by the first system. (Col. 12, lines 52-53 of Gupta)

As per claim 4:

The combination of Gupta and Makower teaches a method comprising directing the client to the second system to establish a session credential based on successful authentication at the second system, after determining that the client does not have a valid session credential granted by the second system. (Col. 12, lines 54-60 of Gupta)

As per claim 5:

The combination of Gupta and Makower teaches a method comprising directing the client to the first system to establish a session credential based on successful authentication at the second system, after determining that the client does not have a valid session credential granted by the second system. (Page 4, paragraph 31 of Makower)

As per claim 6:

The combination of Gupta and Makower teaches a method comprising maintaining the client session credential granted by the second system. (Col. 12, lines 54-60; Col. 13, lines 24-26 of Gupta)

As per claim 7:

The combination of Gupta and Makower teaches a method wherein determining whether the client has a valid credential with the second system is at least partially from



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presenting at least some of the information from the session token. (Col. 12, lines 66-67 and Col. 13, lines 1-5 of Gupta)

As per claim 8:

The combination of Gupta and Makower teaches a method wherein retrieving information from the session token held by the client comprises: sending a query to the client from the first system, the query including identification as originating from a domain name corresponding to the second system; and receiving a response to the query. (Col. 12, lines 48-61 of Gupta)

As per claim 9:

Gupta teaches a method for validating session credentials of a client comprising: determining, at a first system that grants session credentials based on successful authentication at the first system or successful authentication at a second system, that a client does not have a valid session credential granted by the first system; (Col. 7, lines 2-3; Col. 11, lines 46-49 and lines 65-66)

retrieving, at the first system, information from a session token held by the client, the information corresponding to a session credential for the second system that grants session credentials based on successful authentication at the second system, wherein retrieving information from the session token held by the client comprises receiving a session token from the client corresponding to the second system; (Col. 7, lines 3-4; Col. 11, lines 66-67 and Col. 12, lines 1-6)

presenting at least some of the information from the session token to the second system; (Col. 7, lines 5-6; Col. 12, lines 13-23)

determining whether the client has a valid session credential with the second system, wherein determining whether the client has a valid credential with the second system is at least partially from presenting information from the session token; (Col. 7, lines 6-9; Col. 12, lines 25-30)

granting a session credential to the client on the first system, after determining that the client has a valid session credential for the second system; (Col. 7, lines 10-12; Col. 12, lines 48-49)

sending a session token to the client, the token corresponding to the session credential on the first system; (Col. 12, lines 52-53) and

maintaining the client session credentials. (Col. 12, lines 54-60; Col. 13, lines 24-26)

Gupta does not explicitly disclose a first system that grants a session credential. Makower discloses a first system that grants a session credential. (Abstract; Page 1, paragraph 10; Page 3, paragraph 20; Users authenticate themselves with any one of a group of federated servers)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Gupta to include a first system that grants a session credential. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Makower (Page 1, paragraph 8) in order to protect confidential information and reduce inconvenience for the user/client in having to remember different authorizations for different servers. A user that is authenticated in a first server can

access a second server without repeating the authentication process at the second server.

As per claim 12:

Gupta teaches a programmed computer for validating credentials, comprising:  
a memory having at least one region for storing computer executable program code; (Figure 1, item 115; Col. 7, lines 50-67 and Col. 8, lines 1-20) and

a processor for executing the program code stored in the memory, (Figure 1, item 113; Col. 7, lines 50-67 and Col. 8, lines 1-20) wherein the program code comprises:

code to determine, at a first system that grants session credentials based on successful authentication at the first system or successful authentication at a second system, that a client does not have a valid session credential granted by the first system; (Col. 7, lines 2-3; Col. 11, lines 46-49 and lines 65-66)

code to retrieve, at the first system, information from a session token held by the client, the information corresponding to a possible session credential for a second system that grants session credentials based on successful authentication at the second system; (Col. 7, lines 3-4; Col. 11, lines 66-67 and Col. 12, lines 1-6)

code to present at least some of the information from the session token to the second system; (Col. 7, lines 5-6; Col. 12, lines 13-23) and

code to determine whether the client has a valid session credential with the second system. (Col. 7, lines 6-9; Col. 12, lines 25-30)

Gupta does not explicitly disclose a first system that grants a session credential. Makower discloses a first system that grants a session credential. (Abstract; Page 1, paragraph 10; Page 3, paragraph 20; Users authenticate themselves with any one of a group of federated servers)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Gupta to include a first system that grants a session credential. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Makower (Page 1, paragraph 8) in order to protect confidential information and reduce inconvenience for the user/client in having to remember different authorizations for different servers. A user that is authenticated in a first server can access a second server without repeating the authentication process at the second

As per claims 13 and 17:

Gupta teaches a method for establishing session credentials comprising:  
determining that a client does not have a valid session credential for a first system based on successful authentication at the first system or successful authentication at a second system; (Col. 7, lines 2-3; Col. 11, lines 46-49 and lines 65-66)

determining that a client does not have a valid session credential granted by the second system based on based on successful authentication at the second system; (Col. 7, lines 2-3; Col. 11, lines 46-49 and lines 65-66)

sending, from the first system to the second system, the log in information; (Col. 7, lines 5-6; Col. 12, lines 13-23) and

receiving, at the first system from the second system, information corresponding to a session credential for the second system, the session credential granted by the second system based at least in part on the log in information and successful authentication at the second system. (Col. 7, lines 10-12; Col. 12, lines 48-49)

Gupta does not explicitly disclose a method comprising sending, from the first system to the client, a log in page; and receiving, at the first system from the client, log in information; and a first system that grants a session credential.

Makower in analogous art, however, disclose a method comprising:

sending, from the first system to the client, a log in page; (Page 4, paragraph 32; ...web server prompts the client browser with a log in page ...)

receiving, at the first system from the client, log in information; (Page 4, paragraph 32; the client browser provides authentication information...)

a first system that grants a session credential. (Abstract; Page 1, paragraph 10; Page 3, paragraph 20; Users authenticate themselves with any one of a group of federated servers)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Gupta to include a method comprising sending, from the first system to the client, a log in page; receiving, at the first system from the client, log in information; and a first system that grants a session credential. This modification would have been obvious because a

person having ordinary skill in the art would have been motivated to do so, as suggested by, Makower (Page 1, paragraph 8) in order to protect confidential information and reduce inconvenience for the user/client in having to remember different authorizations for different servers. A user that is authenticated in a first server can access a second server without repeating the authentication process at the second

As per claims 15 and 18:

The combination of Gupta and Makower teaches a method granting a session credential for the second system. (Col. 12, lines 66-67 and Col. 13, lines 1-5 of Gupta)

As per claims 16 and 19:

The combination of Gupta and Makower teaches a method comprising associating session credentials for the first system and the second system with the client. (Col. 12, lines 54-60; Col. 13, lines 24-26 of Gupta)

As per claim 20:

Gupta teaches a method for validating credentials comprising:

determining, at a first system that grants session credentials based on based on successful authentication at the second system, that a client does not have a valid session credential granted by the first system; (Col. 7, lines 2-3; Col. 11, lines 46-49 and lines 65-66)

redirecting the client to the second system that grants session credentials based on successful authentication at the second system; (Col. 7, lines 5-6; Col. 12, lines 13-23)

sending, from the second system to the first system, session credentials for the second system; (Col. 7, lines 6-9; Col. 12, lines 25-30)

sending, from the second system to the first system, information indicating that the session credentials for the second system are valid. (Col. 7, lines 6-9; Col. 12, lines 25-30)

sending, from the first system to the second system, the session credentials for the second system; (Col. 7, lines 10-12; Col. 12, lines 48-49)

determining, at the second system, that the session credentials for the second system, received from the first system, are valid; (Col. 13, lines 1-5)

Gupta does not explicitly disclose a first system that grants a session credential. Makower discloses a first system that grants a session credential. (Abstract; Page 1, paragraph 10; Page 3, paragraph 20; Users authenticate themselves with any one of a group of federated servers)

Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to modify the method disclosed by Gupta to include a first system that grants a session credential. This modification would have been obvious because a person having ordinary skill in the art would have been motivated to do so, as suggested by, Makower (Page 1, paragraph 8) in order to protect confidential information and reduce inconvenience for the user/client in having to remember different authorizations for different servers. A user that is authenticated in a first server can access a second server without repeating the authentication process at the second

As per claim 21:

The combination of Gupta and Makower teaches a method comprising granting the client session credentials for the first system. (Col. 7, lines 10-12; Col. 12, lines 48-49 of Gupta)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shewaye Gelagay whose telephone number is 571-272-4219. The examiner can normally be reached on 8:00 am to 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 571-272-3865. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shewaye Gelagay  
1/6/06

  
**EMMANUEL L. MOISE**  
SUPERVISORY PATENT EXAMINER